

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 13-8346 JFW (SS)

Date: March 26, 2015

Page 1 of 3

Title: Eric White v. Rivera, et al.

DOCKET ENTRY: **ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO PROVIDE A
CURRENT ADDRESS**

PRESENT:

HONORABLE SUZANNE H. SEGAL, UNITED STATES MAGISTRATE JUDGE

Marlene Ramirez
Deputy Clerk

None
Court Reporter/Recorder

None
Tape No.

ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANTS:

None Present

None Present

PROCEEDINGS: (IN CHAMBERS)

On May 23, 2014, Plaintiff Eric White, then an inmate at the California State Prison, Los Angeles County proceeding pro se, filed a First Amended Complaint pursuant to 42 U.S.C. § 1983. (Dkt. No. 7). On March 5, 2015, the District Judge issued an Order Accepting Findings, Conclusions and Recommendations of United States Magistrate Judge (the “Order Accepting”). (Dkt. No. 26). On March 6, 2015, the Court mailed a copy of the Order Accepting to Plaintiff at his current address of record. The Order Accepting was returned to the Court as undeliverable on March 24, 2015. (Dkt. No. 29). Thus, the Court does not appear to have any current address for Plaintiff and is unable to move this case forward without Plaintiff’s participation.

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Page 2 of 3

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Plaintiff is advised that pursuant to the Central District's Local Rule 41-6, he has an obligation to keep the Court informed of his current address of record or the Court may dismiss this action:

A party proceeding pro se shall keep the Court and opposing parties apprised of such party's current address and telephone number, if any, and e-mail address, if any. If mail directed by the Clerk to a pro se plaintiff's address of record is returned undelivered by the Postal Service, and if, within fifteen (15) days of the service date, such plaintiff fails to notify, in writing, the Court and opposing parties of said plaintiff's current address, the Court may dismiss the action with or without prejudice for want of prosecution.

C.D. Cal. L.R. 41-6.

Plaintiff is therefore **ORDERED TO SHOW CAUSE** by **April 2, 2015** why this action should not be dismissed pursuant to Local Rule 41-6 for Plaintiff's failure to provide a current address.¹ Plaintiff may satisfy this Order by filing a response with his current address.

Instead of filing a response to the instant Order, Plaintiff may request a voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a). A Notice of Dismissal form is attached for Plaintiff's convenience. However, Plaintiff is advised that any dismissed claims may be later subject to the applicable statute of limitations.

¹ Fifteen days after service of the Court's Order Accepting, which was mailed on March 6, 2015, was March 21, 2015. Accordingly, the fifteen-day deadline set by the Local Rules for Plaintiff to provide an updated address has expired. However, because Plaintiff is proceeding pro se, the Court sua sponte extends the deadline to April 2, 2015, to allow Plaintiff one more opportunity to comply with his obligation to keep the Court informed of his current address.

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Page 3 of 3

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Plaintiff is explicitly cautioned that failure to timely file a response to this Order will result in a recommendation that this action be dismissed with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk of the Court is directed to serve a copy of this Order upon Plaintiff at his current address of record.

MINUTES FORM
CIVIL-GEN

Initials of Deputy Clerk mr